responding honestly and accurately to this and all questions in Section III, and so reported to Mr. Palacios when I transmitted the completed form to him so that he could transmit it to the appropriate representative of the SFUSD, the licensee, for signature.

- 13. With respect to Exhibits H (Statement of Joann Mar), I (Statement of Joe Hughes), and CC (Statement of Hedy Jacobowitz), Ms. Mar is employed as a full-time permanent Announcer/Operator by KALW; Joe Hughes is employed as a permanent part-time Announcer/Operator; and Hedy Jacobowitz is employed as a temporary Announcer/ Operator. With respect to Ms. Mar's and Mr. Hughes' allegations concerning posting of EEO notices and/or notices of specific openings, they apparently failed to go look at the official SFUSD site for all such posting, as set forth in the Declaration of Mr. Palacios.
- I have responsibility, as General Manager, for implementation of SFUSD's EEO program and policies in the context of radio station KALW. As such, it was my responsibility to fill in and respond to the questions in the Broadcast Equal Employment Opportunity Report Form ("EEO Report") that was filed along with KALW's license renewal application. KALW participates in and is part of the overall EEO program and policies of SFUSD and it was within this context that I responded to the questions on this Report form. With respect to the questions in Part II, Policy Dissemination, of that EEO Report, I responded "Yes" to the first question (regarding the posting of EEO notices) based upon my knowledge that the indicated notices were posted at the central offices of SFUSD and the City and County Government of San Francisco, as is attested in the Declaration of Mr. Palacios. I responded "Yes" to the second question, regarding notices on KALW application forms, based upon the forms in use by SFUSD for KALW and the rest of the system. I responded "Yes" to the third question, regarding cooperation with unions, because of my knowledge of the cooperation between SFUSD and the unions representing all its employees, including the union employees of KALW. I responded truthfully to each of these questions and so reported to Mr. Palacios when I transmitted the completed form to him so that he could transmit it to the appropriate representative of the SFUSD, the licensee, for signature.
- 15. More than fifty percent (50%) of KALW's full-time employees, including employees in the upper four job categories, are members of minority groups, as is at least one-half of its governing board (the Board of Education). KALW was recently notified by the Corporation for Public Broadcasting that it is eligible for additional Community Service Grant and NPPAG funds because of its high percentage of minority employees and board members, in which a wide diversity of minority groups are represented. KALW is one of the few public radio station in the nation, other than

stations that were specifically created to serve a minority community, that has become eligible for these additional grant funds. Exhibit 4 to this Declaration is a copy of the Notice received by KALW from CPB regarding this grant eligibility.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on $\sqrt{17}$, 1998.

effrey Ramirez

JERRY CARROLL

Lively Arts

Let's Get Personal

aul Quihillalt up in Clearlake was listening to the news on the radio the other day when he heard KGO's Rosie Allen say, "We'll have someone personaling the line." This sort of thing will only get worse as time goes on. If Rosie meant "manning" the line — a usage on its last legs, if I'm any judge shouldn't she have said "personing" the line? "We'll have someone waiting for your call" would be better, of course. But maybe it doesn't matter.

That purge of jazz at KALW (91.7 FM) — more popular New Age sounds have replaced it - is not the only thing going on at the public radio station. Staff members, seething over job-posting issues, have hired a lawyer. They're preparing a license challenge for the Federal Communications Commission. Dave Radiauer, who had a jazz program at KALW for 13 years, said, "I'm reluctant to say much because I left the station on good terms." He hopes to syndicate his popular show or find a place some where else on the local radio dial.

let paper. I don't suppose you'll want your name on that.

The Stanford String Quartet's recording of composer Donald Crockett's String Quartet Nos. 1 and 2 and other of his works is out . . . S.F. native Jim Stamates. who lives at Lake Tahoe, won a big prize in the annual Wildlife Photographer of the Year contest in Great Britain. How tough's the competition? More than 20,000 slides were submitted from 68 countries . . . Hike the come-on somebody dreamed up to boost ticket sales for the Shrine Game at Stanford January 10: "Sit on your butt. Eat, drink and party. Watch great all-star football. The very best college players in a onetime-only game. And best of all, you can tell everyone you were busy doing charity work"... KOED (Channel 9) was the most-watched public TV station in the country during prime time in 1997, a title it's held since 1991. Portland's KOPB was second . . . The rock group Unwound will be at the Bottom of the Hill January 8. What's its music like? "The noisy parts just keep getting noisier and the quict parts just keep getting quiet-

WEEKEND GI

CONCE

S.F. SYMPHONY Klaustor. Jerry Hadley, to Old Vienna." Straustall, others. 8 p.m. De Anza College, 864-6000.

AUDIUM A theater o spatial movement u 8:30 p.m. Fri. and 5 Bush St. (415) 771-1

JOHN KARL HIRTEN Ernst, Langlais, (Vierne. 4 p.m. Sat. (the Legion of Hot (415) 750-3624.

Kent Nagano cond works by Haydn, Bas Carla Wilson, basse violin. 8 p.m. Sat. 2. Berkeley. (510) 642-

S.F. CHAMBER ORCE kart-Seifert, soprand Schubert, Brahms. Theater, Holy Nar Mountain Blvd., 524-3682.

THE WHIFFENPOOFS EXTRA Yale singing Marines Memorial (415) 989-3900.

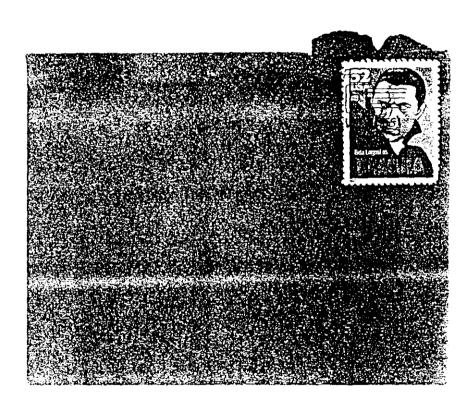
SIMON BERRY Organ 11:15 a.m. Fri. St Church, Sonoma S: Richmond. (510) 2

OPE

s.F. LYRIC OPERA Pu p.m. Sat. Ebeneze. 678 Portola Dr. (4)

JEFFREY--

WE CAN HURT YOU IN MANY WAYS.....
THINK ABOUT IT.



November 12, 1997

Joson Lopez - Golden Gate Public Radio 250 Dorland, Nº 3 San Francisco, CA 94114

Ernest Sanchez 2000 L Street, NW, Suite 200 Washington, DC 20036

Dear Mr. Sanchoz:

We at GGPR apologize for the delay in providing a copy of our petition to you. Please be advised that our copy of the petition is in the possession of Dave Evans — KACW Chief Engineer and GGPR founder. Mr. Evans was in a serious accident shortly after we filed and is currently in critical condition in the hospital. We are doing all we can to locate and retrieve our copy for our own purposes as well at to provide copies, relevant parties such as yourself. Enclosed is the text of the petition without Exhibits. We expect to acquire the petition soon and will send you a copy as soon as possible.

Smurly, Juran afagus

R00850 KALW-FM

Station Code

Call Letters

SAN FRANCISCO, CA City/State



CORPORATION FOR PUBLIC BROADCASTING

Notice of Eligibility for FY 1998 Minority and/or Rural Incentive Grant Funds

Based on the information filed with your station's 1997 Annual Station Activities Survey, the Corporation for Public Broadcasting has determined that your station is eligible to receive additional FY 1998 CSG and NPPAG grant funds because your station met the determined criteria for the following:

minority audience composition greater than 35 percent over the previous two years;

- √ full-time minority staff greater than 50 percent;
- minority board of directors composition of at least 50 percent,

extremely rural.

The formula used to calculate your FY 1998 CSG and NPPAG grants is:

CSG/NPPAG/Audience only
FY 1996 NFFS X IRR + (1.25 X Base Grants)

√ CSG/NPPAG/2 of 3 minority criteria
(FY 1996 NFFS X IRR + Base Grants) X 1.25

CSG/NPPAG/3 of 3 minority criteria (FY 1996 NFFS X IRR + Base Grants) X 1.50

CSG/NPPAG/Rural Only (FY 1996 NFFS X IRR + Base Grants) X 1.25

CSG/NPPAG/Rural/2 of 3 minority criteria (FY 1996 NFFS X IRR + Base Grants) X 1.50

CSG/NPPAG/Rural/3 of 3 minority criteria (FY 1996 NFFS X IRR + Base Grants) X 1.75

If further information is needed about your grants, please call Nadine M. Feaster, Grants Management Specialist, at 1-800-5-CPB-CPB.

DECLARATION OF ENRIQUE E. PALACIOS

I. Enrique E. Palacios, under penalty of perjury, declare as follows:

1.	My name is Enrique E. Palacios. My address is I make this Declaration based upon my own personal
knowledge.	

- 2. I am employed by the San Francisco Unified School District ("SFUSD" or "Board of Education") in the position of Special Assistant to the Superintendent of Schools. As such, my role and responsibility is to serve as liaison between the office of the Superintendent and the management of the radio station KALW(FM), which is licensed to SFUSD. Jeffrey Ramirez, KALW's General Manager, reports directly to me and I report to Waldemar Rojas, the present Superintendent.
- 3. SFUSD is a large public entity and political subdivision of the State of California. It has more than 6,000 employees and 64,000 students under its jurisdiction. SFUSD has developed and utilizes an Equal Employment Opportunity program that is system-wide. As such, this EEO program encompasses and applies to KALW, which does not have a separate EEO program but is required to follow this system-wide EEO program.

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I have reviewed the Petition to Deny filed by Golden Gate Public Radio ("GGPR"), including the various affidavits, statements, and other exhibits filed along with that Petition. Allegations contained in certain of these affidavits and statements (including Exhibits B, C, H, and I) regarding the posting of EEO notices and the posting notification of specific job openings are inaccurate and/or untrue. Contrary to those allegations, all employment opportunities within the SFUSD, including employment opportunities at KALW, are posted. The notices are posted at two locations: on the bulletin board right outside the Department of Human Resources at SFUSD's downtown central office, 135 Van Ness Street, San Francisco, and also at the Department of Human Resources at central office of the City and County government of San Francisco, located at 44 Gough Street, San Francisco. Also, job openings at KALW and SFUSD are circulated to employees throughout the system by means of the Weekly Administrators Directive. The various KALW job openings referenced in the abovementioned affidavits and statements, which GGPR claims were allegedly not posted, were in fact posted at these two official locations, as is required by the civil service system. Similarly, notices to the effect that SFUSD is an Equal Opportunity Employer and that employees have the right to notify an appropriate local, State, or Federal agency if they believe they have been the victims of discrimination are posted at both of these official locations. Attached to this Declaration as Exhibits 5 and 6, respectively, are samples of job announcements that have been posted in the above-indicated manner

and locations within the past 18 months with respect to openings at KALW, both of which documents contain prominent EEO notices.

- 5. Contrary to Petitioner's allegations, the official employment application form utilized by SFUSD also contains a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited. This notice also informs prospective employees of their rights if they believe they have been the victims of discrimination. SFUSD cooperates with the union(s) representing its employees for implementation of the District's EEO program.
- Mr. Lopez, Ms. Kennedy, Mr. Johnson, Mr. Evans, Mr. Baker, Ms. Mar, Mr. Hughes, and Ms. Jacobowicz are all employees of SFUSD assigned to KALW. Ms. Hecht is a volunteer who provides services on an occasional and part-time basis at the office of KALW. I would describe these individuals as "disgruntled" employees, who have expressed their disagreement and displeasure with the ownership and management of KALW. I am informed and believe that Mr. Lopez, Ms. Kennedy, Mr. Evans, and Mr. Baker are principals, members, or directors of an entity they have named "Golden Gate Public Radio." Ever since May or June of 1997, certain of these individuals have attempted to schedule a meeting with one or more present or former members of the School Board to attempt to persuade the Board to transfer KALW to GGPR. At a meeting this past autumn, members of this group threatened to file a Petition to Deny in connection with KALW's license renewal unless the SFUSD relinquished the station and its license to GGPR. I considered this demand to be a form of extortion. The Board members declined to do so and this Petition was filed a short time thereafter. I believe the GGPR members filed this Petition to Deny in bad faith and in retaliation for the refusal of the Board of Education to accede to their extortionate demand to hand the station over to GGPR.
- 7. The allegations of Michael Johnson (Petition, Exhibit B), JoAnn Mar (Exhibit II) and Joseph Hughes (Exhibit I) are limited to the existence or lack of postings at the KALW offices. As stated above, KALW job openings are treated as all other job openings within the School District and are posted at one or both of the locations set forth in paragraph 4 of this Declaration. Mr. Johnson, Ms. Mar, and Mr. Hughes need only have gone to one of these two civil service locations in order to have seen the relevant notices. Furthermore, if Mr. Johnson and Ms. Mar did not receive individualized notice or an invitation or other encouragement to apply for positions of greater responsibility, the reason for this would have been that I and their other supervisors did not consider them to be qualified for such positions of greater responsibility within the station.
- 8. Exhibit K is the draft of a form letter than was prepared for my signature by a staff member who was assisting me in 1996 in connection with the application and interview process for a new general manager. The final version of this letter (a copy of which is attached to this Declaration as Exhibit 7) was printed out on SFUSD letterhead

stationery, signed by me, and mailed to each of the applicants for that position. That letterhead stationery, as can be seen, contains a prominent EEO notification to applicants. This draft copy would, in the ordinary course of business, have been retained on the hard disk of that employee's computer. No other employee except me or another supervisor would have been entitled to access or otherwise make a copy of it. It could only have been accessed by unauthorized means. Additionally, this draft itself was not mailed to any individual. Therefore, for GGPR to have a copy of this document represents a breach of SFUSD's security.

- 9. In the ordinary course of business at SFUSD, Exhibits M and N would have been filed with the SFUSD personnel office in the named employee's personnel file and would not be available for review or copying by any other employee except that individual, his or her supervisor, or authorized employees of the Human Resources Department. For GGPR to have a copy of these documents represents a breach of SFUSD's security and a breach of the rights of privacy of the named individuals. I am informed and believe that Mel Baker made a request for copies of these and other documents from the Human Resources Department but that this request was denied.
- 10. Exhibits W and AA are business documents belonging to SFUSD. In the ordinary course of business at SFUSD, they would have been filed in KALW's business files that were kept under the responsibility of William Helgeson, Program Manager and Operations Manager of KALW. For GGPR to have copies of these documents represents a breach of SFUSD security.
- 11. Jeffrey Ramirez, in his capacity as General Manager of KALW, is responsible for implementation of the SFUSD EEO program with respect to KALW. Mr. Ramirez was also delegated the responsibility for completing KALW's 1997 application for license renewal. Following the usual and ordinary chain of command at SFUSD, Mr. Ramirez provided the completed application and EEO Report to me for transmittal to and execution by a representative of the licensee. Mr. Ramirez confirmed to me that all statements made in the application form and in the attached Broadcast Equal Employment Opportunity Report Form were true, complete, and correct to the best of his knowledge, information, and belief and had been made in good faith. I then transmitted these forms, along with Mr. Ramirez' confirmation, to the office of Superintendent of Schools Waldemar Rojas for signature.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

executed on, 1996.	
	Enrique E. Palacios

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1					
TO	DATE	WAD NO.			
V	September 19, 1997	1.44			
SOLLECT JOB ANNOUNCEME	NT: 3535 Radio Announcer Operator	Page I of I			
r- M	TITLE	TELEPHONE SIGNATURE			
ace Kronick	Personnel Analyst	241-6030 (induce rout)			
ACTION REQUIRED	Post on Bulletin	DUE DATE			
	Board	October 3, 1997			
Circulated and Post		NOT APPLICABLE AFTER THIS DATE			
Sta	ff to be Notified	October 3, 1997			
CLASS & TITLE: 350	35 Radio Announcer Operator				
	OVISIONAL, AS-NEEDED				
SALARY *\$1	,374-\$1,666 Bi-Weekly; \$17.18-\$20.82 Hou	ırly			
WORKING HOURS: As-	Needed.				
(·				
GENER DESCRIPTION: The Ra	dio Announcer-Operator is responsible for l	proadcasting prescribed noncommercial,			
	tion KALW. Under general supervision, ope				
oroadcast of all programs listed on t	he daily program log; makes all necessary	entries on the operation log; assists teachers			
with student radio-related experience	es; and, performs related duties as required	 The incumbent will also assist certificated 			
staff with the training of students in i	adio broadcasting. Positions in this class a	re not responsible for technical maintenance			
work.					
		ns, which must include 200 hours of verified			
	ossession of a valid restricted radiotelephor	e operator permit issued by the Federal			
communications Commission.					
	(nowledge of FCC regulations concerning o	perations of a radio station. Ability to deal			
actfully and maintain good relations	•				
	rested applicants should submit a San Fran				
		SOURCES, CLASSIFIED PERSONNEL, 135			
	Francisco, CA 94102. Attention: Candace				
IMMEDIATELY: Application:	s will be accepted until a sufficient number of	of qualified persons are available.			
CORELING PROCEDURES. 4	COREENING COMMITTEE A secol of our	and with review all appdidate applications			
	SCREENING COMMITTEE. A panel of exp	• •			
	applicants with the most relevant qualification erviewed to determine their relative knowled	·			
reas. (er viewed to determine their relative knowled	ige, ability and skill levels in job-related			
(23. (
ION, DISCRIMINIATION AND EOU	AL EMPLOYMENT OPPORTUNITY POLIC	V			
is the policy of the San Francisco Unified School District to afford equal opportunity in employment and educational apportunities to all individuals regardless of race, color, religion, sex, national origin, ancestry, marifal status, sexual					
nentation, age or disabilities.	articss or race, color, religion, sex, had	Shar ongin, anocatry, mainer exercis, same			
with the state of					
Salary is subject to negotiations between the District and the bargaining unit.					
535 Date Issued: September 19, 1997					
10, 1					
APPROVED:					
1,0,1/1					
SAR Il Kille					
/VV					
Villiam L. Rada, Ph.D.					

ssistant Superintendent, Human Resources Department
SAN FRANCISCO UNIFIED SCHOOL DISTRICT WEEKLY ADMINISTRATORS' DIRECTIVE

The following information describes the civil service classification for which applications are being solicited.

Make sure you read the entire announcement before completing the application form.

EMPLOYMENT OPPORTUNITY

CLASS AND TITLE:

Class 3532 Program Manager, KALW

DEPARTMENT:

San Francisco Unified School District - KALW Radio Station

SALARY:

\$1,436 - \$1,740 Biweekly

APPOINTMENT TYPE: The San Francisco Unified School District's Human Resources, Classified Personnel Department is recruiting for a full-time full-term Class 3532 Program Manager, KALW Radio Station. This position will be filled by a provisional (temporary) appointment. The temporary appointee to this position must participate in the Civil Service examination for the classification in order to be considered for a permanent appointment.

<u>DUTIES AND RESPONSIBILITIES</u>: Under general supervision, the Programmer Manager will work with students in developing and implementing station programming. This individual along with certificated staff will supervise and monitor high school students from various schools in selecting and ordering programming for broadcast. The person selected for the position will also oversee the training of the student operators. In addition, he/she will write program descriptions for program guides; work with students to seek out, select and order programs for broadcast from a variety of vendors; interpret Federal Communications Commission policies that effect the on-air duties or performance of student announcers and operators; will handle all aspects of the development of student programs on the cable channel 52; represent the students and programming needs of the radio station at meetings and perform other related work as required

MINIMUM QUALIFICATIONS: Requires completion of a four year college or university with a baccalaureate degree. A Masters degree in communications or journalism is preferred.

ADDITIONAL DESIRED SKILLS: Knowledge of the principles and practices of broadcast operations and production techniques; national, local and individual program sources; and FCC and National Public Radio policies, guidelines and regulations. Ability to plan, develop and organize individual programs and seek to implement station policy.

NOTE: In compliance with the Immigration Reform and Control Act of 1986, all persons entering City and County employment will be required to prove their identity and authorization to work in the United States.

APPLICANTS MUST SUBMIT A SCHOOL DISTRICT APPLICATION OR A RESUME TO:

SAN FRANCISCO UNIFIED SCHOOL DISTRICT

DEPARTMENT OF HUMAN RESOURCES, CLASSIFIED PERSONNEL

135 Van Ness Avenue, Room 105 San Francisco, CA 94107

Attn: Elaine Lee

FILING DEADLINE:

Friday, September 6, 1996 Close of Business

The best qualified candidates will be invited to an oral interview which may include written/performance exercises.

Minorities, Women, and Persons with Disabilities are Encouraged to Apply
An Equal Opportunity Employer

If there are any questions regarding this process, address them either in writing or via telephone (241-6025) to Elaine Lee prior to the filing deadline.

NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the San Francisco Unified School District to afford equal opportunity in employment and educational opportunities to all individuals regardless of race, color, religion, sex, national origin, ancestry, marital status, sexual orientation, age or disabilities.

General Information concerning City and County of San Francisco employment policies and procedures may be found in the pamphlet entitled important Employment Information. This information, including information regarding appeals of the terms of this immediately. The pamphlet is available at the Department of Human Resources Information Center 44 Gough Street.

Read the entire announcement and the pamphlet before you fill out your Employment Application.

SFUSD

May 31, 1996

Philip H. Morgan, Jr. #7 Encina Flace Pittsburg, CA 94565

Dear Mr. Morgan:

We have received your resume for the position of General Manager at KAIW. A panel will review all resumes and select the most qualified individuals for an interview. If you are selected for an interview, you will be notified asap. All interviews will take place in San Francisco, California. The panel has the following schedule:

- 1. May 24-Posting closes.
- 2. May 25 to May 31-Reviewing of resumes.
- 3. June 1 to June 10-Interviewing of candidates.
- 4. June 25-Approving of position.
- 5. July 1-Starting work.

If you require additional information, please contact mc at (415) 695-5925. Thank you.

Sincerely,

Enrique E. Palacios

Special Assistant to the Superintendent

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an equal opportunity employer

10 1992 300 Brn 8/92

TOTAL P.31

DECLARATION OF ANA C. PEREZ

I, Ana C. Perez, under penalty of perjury, do declare as follows:

- 1. My name is Ana C. Perez. My address is 5051 Roosevel + Gre Lichmond LA 94805. I make this declaration based upon my own personal knowledge.
- 2. I am presently employed by the San Francisco Unified School District ("SFUSD") as Youth Program Manager for KALW(FM). I am a Provisional Appointee. On or about October 4, 1996, I received from the Human Resources Department of SFUSD a document entitled "Notice to Provisional Appointee. I have been provided a copy of Exhibit M that was attached to Golden Gate Public Radio's Petition to Deny Application for License Renewal of Radio Station KALW, San Francisco, CA. (File No. BRED-970801 YA) and confirm that Exhibit M is a copy of that Notice.
- 3. I reviewed and signed that Notice in person at the office of SFUSD's Human Resources Department, but did not then or at any time receive a copy of it. To my knowledge, the original and any copies of that document would have been kept by the Human Resources Department in my personnel file. I did not authorize the Human Resources Department to provide access to that file to any other person. Neither did I authorize any of the following individuals: Jason Lopez, Deirdre Kennedy, Michael Johnson, Dave Evans, Mel Baker, Susan Hecht, Joann Mar, Joe Hughes, or Hedy Jacobowitz, or any other person, to have access to, obtain, or copy this document or any other material in my personnel file. If Golden Gate Public Radio, or any of the named individuals, obtained a copy of this document, this would have been done without my authorization and in violation of my right to privacy with respect to my personnel file.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on Jan 14, 1998.

DECLARATION OF MICHAEL MOON

I, Michael Moon, under penalty of perjury, do declare as follows:

1. My name is Michael Moon. My address is \$75L Horrista Ave.

(6/2 arbs/s. Chilo 4/32/5. I make this declaration based upon my own personal knowledge.

- 2. On July 30, 1997, I transmitted a message by electronic mail (e-mail) to Jeffrey Ramirez at radio station KALW in San Francisco, using his e-mail address of jramire@muse.sfusd.k12.ca.us. I utilized my personal password when composing and transmitting that message. On that same date, I received an e-mail message in response from Mr. Ramirez. I expected both these messages to be and to remain private between Mr. Ramirez and myself. I did not authorize any of the following individuals: Jason Lopez, Deirdre Kennedy, Michael Johnson, Dave Evans, Mel Baker, Susan Hecht, Joann Mar, Joe Hughes, or Hedy Jacobowitz, or any other person, to intercept or to otherwise read or have access to these messages. I did not print out a hard copy of these messages and I have not provided any hard copy of these messages to any of the following individuals: Jason Lopez, Deirdre Kennedy, Michael Johnson, Dave Evans, Mel Baker, Susan Hecht, Joann Mar, Joe Hughes, or Hedy Jacobowitz, or any other person. At the time that I sent and received these messages, I was physically located in Columbus, Ohio and utilized my personal computer terminal for purposes of sending and receiving this e-mail.
- 3. Counsel for KALW has provided me with a copy of a three-page document bearing the notation "Exhibit S" and has represented to me that this document was filed as an exhibit attached to a Petition to Deny Application for License Renewal of Radio Station KALW, San Francisco, CA. (File No. BRED-970801 YA) by Petitioner Golden Gate Public Radio. I have reviewed this document and confirm that it is a printout of the aforesaid e-mail messages that were transmitted and received between me and Mr. Ramirez on July 30, 1997.

I declare under penalty of perjury under the laws of the United State of American that the foregoing is true and correct.

Executed on 1/15, 1998.

Michael Moon

DECLARATION OF WILLIAM HELGESON

I, William Helgeson, under penalty of perjury, do declare as follows:

 My name is William 	Helgeson. My address is 184 BONVIEW St.
SANFRANCISCO, CA	. I make this declaration based upon my own
personal knowledge.	

- 2. I am presently employed by the San Francisco Unified School District ("SFUSD") as Program Manager for KALW(FM); this position is also termed "Operations Manager." My responsibilities in this position include managing certain of the business affairs of KALW, including contracts with employees and consultants.
- 3. I have responsibility for maintaining a four-drawer file cabinet in my work area, located near my desk, at KALW's office. The third drawer of that file cabinet contains KALW's public file. The other three drawers contain non-public business-related documents that are the property of KALW and SFUSD. Only I and my supervisors have authorized access to these other three drawers.
- 4. I am aware of, and have assisted with, an ongoing affirmative effort since the arrival of Jeffrey Ramirez as General Manager of KALW, to update and maintain the station's public inspection file in accordance with the rules of the Federal Communication Commission.
- 5. I have been shown copies of three documents that were attached as Exhibits to Golden Gate Public Radio's Petition to Deny Application for License Renewal of Radio Station KALW, San Francisco, CA (File No. BRED-970801 VA): Exhibits N, W, and AA. I am familiar with all four documents and, in the ordinary course of business, have custody of the originals of Exhibits W and AA.
- 6. Exhibit N is a copy of a Separation Report prepared by the Civil Service Commission of the City and County of San Francisco with respect to my promotion from the position of Senior Clerk Typist in September 1992. I ordinarily retained a copy of that Notice in my own personal career-related file at the KALW office. To my knowledge, the original and any copies of this document would be retained, in the ordinary course of business, by the Human Resources Department in my personnel file. I did not authorize the Human Resources Department to provide access to that file to any other person. Neither did I authorize any of the following individuals: Jason Lopez, Deirdre Kennedy, Michael Johnson, Dave Evans, Mel Baker, Susan Hecht, Joann Mar, Joe Hughes, or Hedy Jacobowitz, or any other person, to have access to, obtain, or copy this document or any other material in my personnel file. If Golden Gate Public Radio,

or any of the named individuals, obtained a copy of this document, this would have been done without my authorization and in violation of my right to privacy with respect to my personnel file.

- 7. Exhibits W and AA, respectively, are copies of the following documents: a draft of an Agreement between SFUSD and Lynne Nerenbaum, bearing the date May 15, 1997, but unsigned by any representative of SFUSD and an SFUSD official Resolution Request Form (also known as a "K" Form) which is used to request Board approval of a proposed resolution for the District to enter into a contract with an external consultant. I am familiar with each of these documents. The original of these documents is the property of SFUSD and, as such, is maintained in the ordinary course of business in my above-described file cabinet in one of the non-public drawers. None of the following individuals: Jason Lopez, Deirdre Kennedy, Michael Johnson, Dave Evans, Mel Baker, Susan Hecht, Joann Mar, Joe Hughes, or Hedy Jacobowitz, has authorized access to these non-public drawers and I did not provide the original or a copy of any of these documents to any of these named individuals. If Golden Gate Public Radio, or any of the named individuals, obtained a copy of these documents, this would represent a breach of SFUSD security.
- 8. As Program/Operations Manager for KALW, I am aware that no employee of SFUSD/KALW is permitted to know or have access to the computer password of any other employee. If Golden Gate Public Radio, or any of the individuals named in paragraph 7 of this Declaration, obtained Mr. Ramirez' password and used it to access his e-mail messages, this would represent a breach of SFUSD security and of Mr. Ramirez' privacy.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 1/16, 1998.

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Page 75 of 86

DECLARATION OF ERNEST T. SANCHEZ

- I, Ernest T. Sanchez, under penalty of perjury, do declare as follows:
- 1. My name is Ernest T. Sanchez. My office address is 2000 L Street, N.W., Suite 200, Washington, D.C. 20036. I am an attorney and a member of the District of Columbia Bar. I make this declaration based upon my own personal knowledge.
- 2. I am communications counsel for the San Francisco Unified School District ("SFUSD"), the licensee of KALW(FM). On October 1, 1997, I received by fax a letter from an attorney who stated therein that he was counsel to Golden Gate Public Radio (hereafter, "GGPR"). This letter, a copy of which is attached hereto as Exhibit 8, refers to a GGPR proposal that the operation and management of KALW should be transferred to GGPR. The letter threatened that, unless "good faith substantive negotiations aimed at a transfer of management of the station are underway by October 10th", GGPR would begin preparations to file a petition to deny KALW's application for license renewal.
 - SFUSD declined to meet GGPR's demands.
- 4. Although SFUSD and I expected GGPR to carry through with its threat, we had not been served with any petition by early November. I contacted GGPR's counsel by telephone on November 11, to inquire whether it had been filed. During that conversation, I learned for the first time that GGPR had, in fact, filed a petition to deny. On or about November 11 or 12, 1997, I received a call from Jason Lopez, who also acknowledged that the petition had been filed but that, due to an accident involving Dave Evans, Lopez and Kennedy did not have access to their copy of the petition or exhibits. On or about November 13, 1997, I received a note dated November 12, from Jason Lopez along with an unsigned draft of the petition, with no exhibits or affidavits. A copy of that note is attached as Exhibit 9. SFUSD never agreed to waive service.
- 5. On December 9, 1997 I received from SFUSD a copy of a letter dated December 5, 1997 from Y. Paulette Laden, Chief, EEO Branch of the Commission's Mass Media Bureau, to Mr. Lopez and Ms. Kennedy, a copy of which is attached hereto as Exhibit 10. The letter indicates that no certificate of service had been filed with GGPR's Petition when it was first filed and that an inquiry was being made as to whether or not service had been made. Ms. Laden offered GGPR 20 days within which to submit proof that SFUSD had been served in accordance with Rule 1.47. As of that date, December 9, 1997, neither I nor my client had yet been served with the Petition that, we learned, had been filed as of November 3.